

REMARKS

In the March 28, 2006 Office Action, the Examiner noted that claims 18-43 were pending and were rejected under 35 U.S.C. § 101 and rejected claims 19-26 and 28-35 under the second paragraph of 35 U.S.C. § 112. Claims 18-43 remain in the case. The Examiner's rejections are traversed below..

REJECTION UNDER 35 U.S.C. § 101:

In item 1 on page 2 of the Office Action, claims 18-43 were rejected under 35 U.S.C. § 101 as defining non-statutory processes simply manipulating an abstract idea without a claimed limitation to the practical application and lacking any post or pre computer process activity.

Applicant respectfully disagrees with this characterization of claims 18-43. Taking claim 18 first, contrary to the assertion that the claims "merely manipulate an abstract idea (conditioning a database) without a claimed limitation to a practical application" (Office Action, page 2, lines 9-10), the preamble states that claim 18 is directed to "automatic speech processing using the database" (claim 18, line 2). It is submitted that "automatic speech processing" is "a practical application."

Furthermore, it is submitted that "graphemes and phonemes" (claim 18, lines 2 and 5) are not "abstract idea[s]" but rather terms that refer to concrete non-mathematical constructs. As known in the art, and described in paragraph [0003] of the Substitute Specification, "[g]raphemes are letters or combinations of letters which in each case are assigned a sound, the phoneme." It is submitted that letters and sounds are not abstract ideas. Sounds are very real physical forces, even if they cannot be seen.

In addition, the final operation recited in claim 18, "automatically erasing" requires modification of physical storage and therefore involves a "post ... computer process activity" (Office Action, page 2, line 14). For all of the above reasons, it is submitted that claim 18 recites a practical application within the technological arts, since the operations recited in claim 18 result in "conditioning a database ... for automatic speech processing" (claim 18, lines 1-2). Thus it is respectfully submitted that the rejection of independent claim 18 should be withdrawn because independent claim 18 constitutes patentable subject matter under 35 U.S.C. § 101.

Independent claims, 27, 36, 41 and 43 all recite "graphemes and phonemes" (e.g., line 5 of claims 27, 36 and 41, and line 6 of claim 43) which, as noted above, are not abstract ideas and "erasing" which, as noted above, is a physical activity. The preambles of claims 27 and 43 state that these claims are directed to "automatic speech processing" while the preamble of

claim 36 recites "synthesizing speech" and the preamble of claim 41 recites "recognition of speech" which are all practical applications. Therefore, it is respectfully submitted that all of the independent claims recite patentable subject matter under 35 U.S.C. § 101 for the reasons discussed above with respect to claim 18 and, thus, the rejections thereof should be withdrawn.

In addition, claims 27, 36 and 41 recite "training a (or the) neural network" which is an additional practical application within the technological arts.

Claims 19-26, 28-35 and 37-40 depend directly or indirectly from independent claims 18, 27 and 36. For all of the above reasons, the rejections of claims 18-41 and 43 as reciting non-statutory matter should be withdrawn.

The Office Action rejected claim 42 as reciting non-statutory matter because it does not fall within one of the four statutory categories of subject matter under 35 U.S.C. § 101 and it is directed to an abstract idea. The preamble of claim 42 has been amended to clarify that the body of claim 42 recites operations of a method. It is submitted that "a neural network" (claim 42, line 1) is a concrete product and thus, amended claim 42 recites a "product by process" which is one of the statutory categories of subject matter under 35 U.S.C. § 101.

Furthermore, claim 42 recites "erasing" and "training the neural network" which, as noted above, are respectively a "post ... computer process activity" and a practical application within the technological arts. Therefore, claim 42 as amended satisfies the requirements of 35 U.S.C. § 101 and withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 112:

In item 4 on page 3 of the Office Action, claims 19-26 and 28-35 were rejected under the second paragraph of 35 U.S.C. § 112. Claims 19 and 28 are amended herein to recite "erasing" which has antecedent basis in claims 18 and 27 from which they depend. Therefore, withdrawal of the rejections thereof and claims 20-26 and 29-35 which depend therefrom, is respectfully requested.

REQUEST FOR EXAMINER INTERVIEW

If the Examiner is not persuaded by the arguments above to withdraw all of the rejections under 35 U.S.C. § 101 and the second paragraph of 35 U.S.C. § 112, the Examiner is respectfully requested to contact the undersigned to arrange an Examiner Interview to expedite the process of finding claim language that will result in withdrawal of the rejections.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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